

STATE OF MINNESOTA

FILED

DISTRICT COURT

COUNTY OF SCOTT

NOV 06 2009 A

FIRST JUDICIAL DISTRICT

Case Type: Mechanic's Lien Foreclosure

SCOTT COUNTY COURTS

In re M.W. Johnson Construction, Inc.
Mechanic's Lien Foreclosure Litigation

Consolidated Master Court File: 70-CV-09-7343

Judge: Jerome B. Abrams

Stewart Plumbing, Inc.,

Scott County Court File: 70-CV-08-14651

Plaintiff,

**STIPULATION OF DISMISSAL WITH
PREJUDICE;**

vs.

**ORDER FOR DISMISSAL WITH
PREJUDICE AND JUDGMENT**

Nicole Bruch, Kenneth T. Kes, Jr.,
Ohio Saving Bank, John Doe, Mary
Roe, XYZ Corporation, and ABC
Partnership,

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff Stewart Plumbing Inc. ("Stewart"), Defendant Nicole Bruch ("Bruch"), Kenneth Kes, Jr. ("Kes") and Defendant Ohio Savings Bank ("the Bank"), by and through their undersigned attorneys as follows:

1. All claims by Stewart against Bruch, Kes, the Bank and that certain real property located in Dakota County, Minnesota, legally described as: "Lot 15, Block 26, Countryside" shall be dismissed with prejudice, on the merits and in their entirety, and without an award of costs, disbursements or attorneys' fees to any party.
2. Any party to this Stipulation, without prior notice to any other party, may cause an Order for Judgment to be entered herein.

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OCT 05 2009

SCOTT COUNTY COURTS

CHRISTENSEN & LAUE, P.A.

Dated: October 2, 2009

By: 

Susanne M. Glasser (#0272978)

5101 Vernon Avenue South, Suite 400

Edina, Minnesota 55436

(952) 927-8855

Attorney for Plaintiff Stewart Plumbing, Inc.

COLEMAN, HULL & VAN VLIET, PLLP

Dated: October 5, 2009

By: 

Katherine M. Melander (#180464)

Steven R. Little (#0304244)

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Minneapolis, Minnesota 55437

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Attorneys for Defendants

Nicole Bruch, Kenneth Kes, Jr.

and Ohio Savings Bank, FSB

ORDER FOR DISMISSAL WITH PREJUDICE AND JUDGMENT

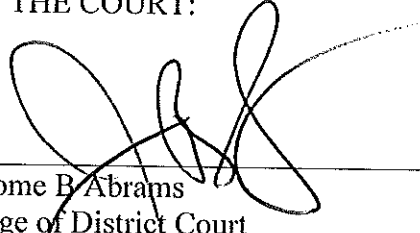
Pursuant to the foregoing Stipulation of Dismissal entered into by and among Plaintiff Stewart Plumbing, Inc. ("Stewart"), Defendant Nicole Bruch ("Bruch"), Defendant Kenneth Kes, Jr. ("Kes") and Defendant Ohio Savings Bank, FSB, by and through their attorneys, the Court makes the following **ORDER**:

1. The parties Stipulation of Dismissal is hereby approved in all respects.
2. All claims by Stewart against Bruch, Kes, and the Bank and that certain real property located in Dakota County, Minnesota, legally described as: "Lot 15, Block 26, Countryside" are hereby dismissed **WITH PREJUDICE**, on the merits and in their entirety, and without an award of costs, disbursements or attorneys' fees to any party.

THERE BEING NO JUST REASON FOR DELAY, LET JUDGMENT BE ENTERED FORTHWITH.

BY THE COURT:

Dated: 11-5, 2009



Jerome B. Abrams
Judge of District Court
Consolidated Master Court File No. 70-CV-09-7343
Court File No. 70-CV-08-14651

JUDGMENT

I DO HEREBY CERTIFY THAT THE FOREGOING ORDER
CONSTITUTES THE JUDGMENT OF THIS COURT.

DATE 11-6-09
GREGORY M. ESS
COURT ADMINISTRATOR, SCOTT COUNTY, MINN.

DEPUTY Audrey K Brown